



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/578,552

05/08/2007

Birgit Alberta Deiman

9310-152

4956

20792 7590 03/17/2009
MYERS BIGEL SIBLEY & SAJOVEC
PO BOX 37428
RALEIGH, NC 27627

EXAMINER

BAUGHMAN, MOLLY E

ART UNIT

PAPER NUMBER

1637

MAIL DATE

DELIVERY MODE

03/17/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

DETAILED ACTION

Sequence Compliance

1. The claims contain nucleotide sequences with ten or more bases which are not properly accompanied by a sequence identifier (see MPEP 2421.02-2422.03) and therefore, a proper search cannot be conducted on the elected claims. MPEP 2422.03 states, "37 CFR 1.821(d) requires the use of the assigned sequence identifier in all instances where the description or claims of a patent application discuss sequences regardless of whether a given sequence is also embedded in the text of the description or claims of an application. This requirement is also intended to permit references, in both the description and claims, to sequences set forth in the "Sequence Listing" by the use of assigned sequence identifiers without repeating the sequence in the text of the description or claims." Appropriate correction is required for prosecution on the merits.
2. The disclosure also does not comply, as there are no references to sequence identifiers for any of the sequences listed in the disclosure.

Furthermore, when a sequence is presented in table, regardless of the format or the manner of presentation of that sequence, the sequence identifier ("SEQ ID NO:X") must be used and the sequence must still be included in the Sequence Listing (see MPEP 2422.03).
3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Molly E. Baughman whose telephone number

Art Unit: 1637

is (571)272-4434. The examiner can normally be reached on Monday-Friday 8-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gary Benzion can be reached on 571-272-0782. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Kenneth R Horlick/
Primary Examiner, Art Unit 1637

/Molly E Baughman/
Examiner, Art Unit 1637